

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Third day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice T.RAJA

CRIMINAL ORIGINAL PETITION No.6747 of 2020

1 CHANDRASEKAR [PETITIONERS / ACCUSED]
2 SUMITHRA

Vs

THE STATE REP. BY [RESPONDENT]
THE INSPECTOR OF POLICE,
ANAIKUT POLICE STATION,
VELLORE DISTRICT.
CR.NO.59 OF 2020.

For Petitioner : M/S. N.CHINNARAJ Advocate

For Respondent : MR.S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

Petitioners who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 354(A) and 506 (ii) of I.P.C. read with Section 4 of Tamil Nadu Women Harassment Act in Cr.No.59 of 2020 on the file of the respondent police, seek anticipatory bail.

2.Case of the prosecution is that the petitioners are alleged to have threatened the defacto complainant using un-parliament words.

3.Learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further seeks the permission of this Court to withdraw this petition as against the second petitioner alone and has also made an endorsement to that effect in the petition.

4.Recording the endorsement made by the learned counsel appearing for the petitioners, this petition is dismissed as withdrawn in respect of the second petitioner alone.

5. Heard the learned Additional Public Prosecutor.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the first petitioner alone.

7. Accordingly, the first petitioner alone is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.V, Vellore, on condition that the first petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the first petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the first petitioner shall report before the respondent police daily at 10.30 a.m. for a period of one week and thereafter as and when required for interrogation;

(c) the first petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the first petitioner shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

23/03/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.V, VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

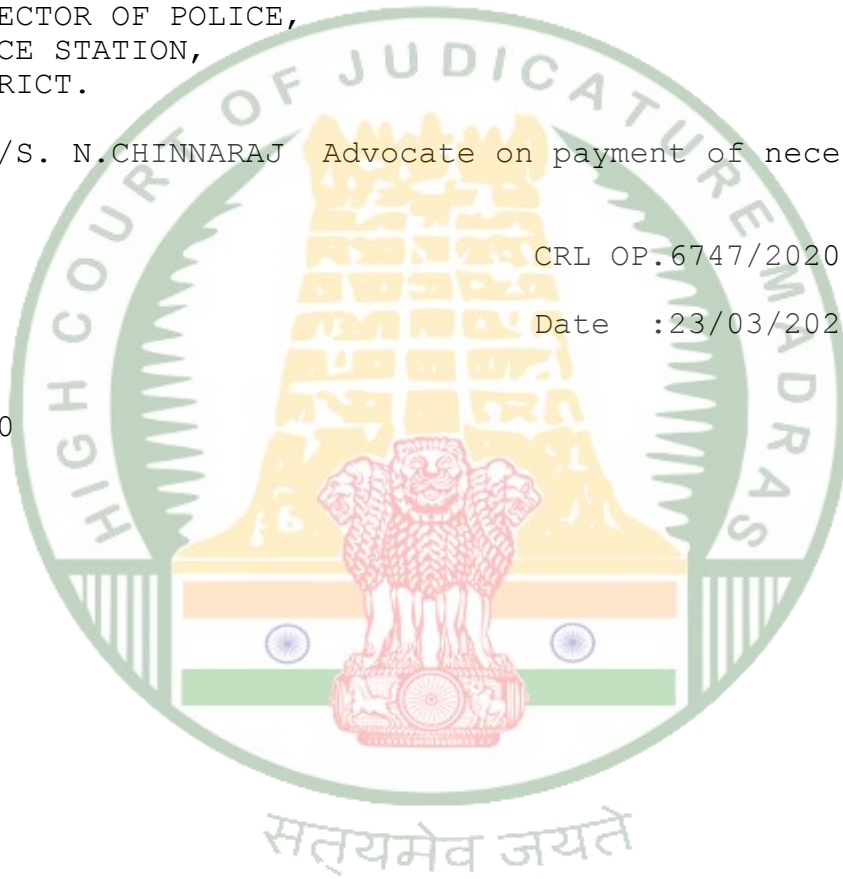
4 THE INSPECTOR OF POLICE,
ANAICUT POLICE STATION,
VELLORE DISTRICT.

CC to M/S. N.CHINNARAJ Advocate on payment of necessary charges

CRL OP.6747/2020

Date :23/03/2020

TA-17/07/2020



WEB COPY